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PTO/SB/05 (03-01)

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR § 1.53(b))

Attorney Docket No.	1763.0140000
First Inventor	Jose K. Raphael
Title	System, Method and Computer Program Product to Maximize Server Throughput While Avoiding Server Overload By Controlling the Rate of Establishing Server-Side Network Connections
Express Mail Label No.	

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☐ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 26]
(preferred arrangement set forth below)
- Descriptive title of the Invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure
- ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 10]
- Oath or Declaration [Total Pages _____]
- a. ☐ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
- i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR §§ 1.63(d)(2) and 1.33(b).
- ☒ Application Data Sheet. See 37 CFR 1.76.

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program
(Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Two Return Receipt Postcards (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Authorization under 37 C.F.R. § 1.136(a)(3)
- ☐ Other: The name of the assignee is: _____

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-Part (CIP) of prior application No: ____/____

Prior application information: Examiner _____ Group/Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

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or ☐ Correspondence address below

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	Attorneys at Law			
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SIGNATURE	<i>Molly A. McCall</i>	Date	July 26, 2001

Burden Hour Statement: this form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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*LIMITED TO MATTERS
AND PROCEEDINGS BEFORE
FEDERAL COURTS & AGENCIES
**REGISTERED PATENT AGENT
***SENIOR COUNSEL

July 26, 2001

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Commissioner for Patents
Washington, D.C. 20231

Box Patent Application

Re: U.S. Non-Provisional Utility Patent Application under 37 C.F.R. § 1.53(b)
Appl. No. (to be assigned); Filed: (herewith) July 26, 2001
For: **System, Method and Computer Program Product to Maximize Server
Throughput While Avoiding Server Overload by Controlling the Rate
of Establishing Server-Side Network Connections**
Inventors: Raphael *et al.*
Our Ref: 1763.0140000

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.
Patent and Trademark Office:

1. USPTO Utility Patent Application Transmittal Form PTO/SB/05;
2. U.S. Utility Patent Application entitled:

**System, Method and Computer Program Product to Maximize Server
Throughput While Avoiding Server Overload by Controlling the Rate of
Establishing Server-Side Network Connections**

and naming as inventors:

Jose K. Raphael
Kailash Kailash
Michel K. Susai

Commissioner for Patents
July 26, 2001
Page 2

the application comprising:

- a. specification containing a total of 26 pages:
 - i. 22 pages of description prior to the claims;
 - ii. 3 pages of claims (13 claims);
 - iii. a one (1) page abstract;
 - b. 10 sheets of drawings: (Figures 1-2, 3A, 3B, 4-9); and
 - c. an Application Data Sheet (37 C.F.R. § 1.76).
3. 37 C.F.R. § 1.136(a)(3) Authorization to Treat a Reply As Incorporating An Extension of Time (*in duplicate*); and
 4. Two (2) return postcards.

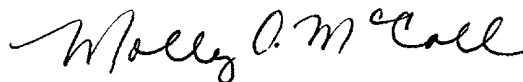
Correspondence should be sent to Customer Number 26111.

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible.

This patent application is being submitted under 37 C.F.R. § 1.53(b) without Declaration and without filing fee.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Molly A. McCall
Attorney for Applicants
Registration No. 46,126

RES/MAM/tc
Enclosures